

In the Supreme Court of Nevada

MOTOR COACH INDUSTRIES, INC.,

Appellant,

vs.

A.K. and K.K., minors, by and through their guardian MARIE-CLAUDE RIGAUD; SIAMAK BARIN, as executor of the ESTATE OF KAYVAN KHIABANI, M.D. (decedent); THE ESTATE OF KAYVAN KHIABANI, M.D. (decedent); SIAMAK BARIN, as executor of the ESTATE OF KATAYOUN BARIN, DDS (decedent); and the ESTATE OF KATAYOUN BARIN, DDS (decedent),

Respondents.

Electronically Filed
Nov 07 2018 02:15 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**MOTION TO EXTEND TIME
TO RESPOND TO ORDER TO SHOW CAUSE**

Appellant Motor Coach Industries, Inc. requests an extension of time of 30 days, through December 7, 2018, in which to file a response to this Court's September 6, 2018 order to show cause. This is the second such request. The response was originally due October 8, 2018, and without an extension, would be due November 7, 2018. No requests for extension have been denied or denied in part.

As the Court notes in the order to show cause, appellant filed three tolling motions before the notice of appeal, making this appeal premature. We anticipate that the district court soon will enter orders

resolving those motions, however, rendering the appeal timely. *See* NRAP 4(a)(6). The district court issued a minute order denying two of those motions on August 24, directing plaintiffs-respondents to prepare the orders. The court heard the third motion on September 25 and will issue a ruling from chambers. Orders dismissing the settling parties have been entered and an order dismissing the wrongful death claim for Katayoun Barin soon will be entered.

The additional 30 days will provide time for the district court to issue its ruling on the remaining tolling motion, and for the parties to prepare the formal orders for the district court's approval and execution that will cure the jurisdictional defects. This appeal should proceed to avoid initiating a new one after entry of the district court orders, which would waste time and resources of the parties and this Court.

Dated this 7th day of November, 2018.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Joel D. Henriod

DANIEL F. POLSENBERG (SBN 2376)

JOEL D. HENRIOD (SBN 8492)

ABRAHAM G. SMITH (SBN 13,250)

3993 Howard Hughes Parkway, Suite 600

Las Vegas, Nevada 89169

(702) 949-8200

Attorneys for Appellant

CERTIFICATE OF SERVICE

I certify that on November 7, 2018, I submitted the foregoing
“Motion to Extend Time to Respond to Order to Show Cause” for filing
via the Court’s eFlex electronic filing system. Electronic notification
will be sent to the following:

WILL KEMP
ERIC PEPPERMAN
KEMP, JONES & COULTHARD LLP
3800 Howard Hughes Parkway
17th Floor
Las Vegas, Nevada 89169
Attorneys for Respondents

PETER S. CHRISTIANSEN
KENDELEE L. WORKS
CHRISTIANSEN LAW OFFICES
810 South Casino Center Boulevard
Las Vegas, Nevada 89101
Attorneys for Respondents

/s/ Adam Crawford
An Employee of Lewis Roca Rothgerber Christie LLP